REMARKS

Claims 1-9 are pending in this application.

The Examiner cites two new references, Takewa et al. (Takewa) and Sato et al. (Sato), and rejects claims 1-9 as follows:

- claims 1, 2 and 5-9 under 35 U.S.C. § 103(a) as being unpatentable over Casser (previously-cited) in view of Takewa; and
- claims 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable over Casser in view of Sato.

Applicant respectfully traverses the Examiner's rejections as follows:

With regard to claims 1, 2 and 5-9, the Examiner acknowledges that Casser does not teach the feature of a laminate film disposed between an auxiliary damper and a primary damper, as recited in the independent claims 1, 2, 5 and 8. However, the Examiner relies on newly-cited Takewa to supply this acknowledged deficiency of Casser.

As explained in Applicant's Amendment filed September 8, 2003, Casser discloses a **vibration dampening** material and process for manufacturing said material for use in, among other things, speakers (*see Id.*, col. 1, lines 40-46). In particular, Casser discloses vibration dampening material 10 which includes core material 20 bonded together with layers 32 and/or 34 made of high modulus material 30 saturated with resin (*see Id.*, col. 9, line 41 through col. 10, line 4). Also, Casser discloses cover material 40 bonded to layer 32 and/or layer 34 (*see Id.*, col. 10, lines 13-23). *See also Id.*, Figs. 1-3.

That is, Casser simply discloses laminating damping material to exhibit high rigidity, vibration damping properties, chemical resistance, heat resistance, etc. Casser also discloses the types of materials which are usable in vibration dampening applications (*see Id.,* col. 3, line 26 through col. 4, line 43).

On the other hand, Takewa discloses **sound absorbers** for use in audio sound rooms to realize a sound space with a required sound absorption coefficient (see Id., col. 1, line 5 through col. 3, line 39). In particular, Takewa discloses a sound absorber having layers of "porous material which is made of glass wool, rock fiber or cellular plastic" with layers of "high-polymer film" interposed there between (*see Id.*, col. 4, line 15 through col. 5, line 21; and Figs. 1 and 2).

Applicant respectfully submits that Takewa's structure for sound absorbers has nothing to do with, and is completely unrelated to, Casser's vibration dampers. Therefore, contrary to the Examiner's analysis, one skilled in the art of vibration dampers and sound absorbers would not have been motivated to modify Takewa to "improve low frequency sound absorption," as alleged by the Examiner. In fact, low frequency sound absorption is not even a factor in vibrations dampening. Thus, the Examiner's combination of Casser and Takewa finds no basis in the actual disclosure of either of these two references considered as a whole, and no support in the conventional knowledge of artisans skilled in the relevant arts.

While vibration damping and sound damping characteristics may be advantageously combined in a single structure, neither Casser nor Takewa discloses or suggests that its respective invention may be applicable to such single structure, let alone discloses or suggests how such single structure may be achieved.

Accordingly, the Examiner's rejection of claims 1, 2, 5 and 8, as well as the rejection of the dependent claims 6, 7 and 9 (which incorporate all the novel and unobvious features of their respective base claims), based on Casser and Takewa is improper, and should be withdrawn.

With regard to claims 3 and 4, the Examiner once again acknowledges that Casser does not disclose an auxiliary damper composed of a plurality of sheets, and relies on newly-cited Sato to supply this acknowledged deficiency.

Sato discloses "a vibration damping sound-proof sheet for use in vehicles" (*see Id.*, Abstract), and in its Fig. 5 (cited by the Examiner) illustrates a sheet formed of "vibration damping layer-forming material 17 ... made of an adhesive layer-forming material 15 and a retaining layer-forming material 16" and "soundproof layer forming material 8" (*see Id.*, col. 7, line 65 through col. 11, line 2). The Examiner alleges that Sato's vibration damping layer-forming material 17 suggests modifying Casser to form an auxiliary damper composed of a plurality of sheets as required by Applicant's claims 3 and 4. Applicant respectfully disagrees.

In particular, Sato discloses that:

> A vibration damping layer-forming material 17 comprising a retainer layer-forming material 16 formed on an adhesive layer forming material 15 each in a sheet-like configuration are appended and laminated with a soundproof layer-forming material 8 to constitute a vibration damping soundproof sheet shown in FIG. 5 (*Id.*, col. 10, lines 31-36.)

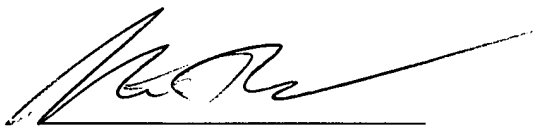
Clearly, Sato (like Casser) disclose nothing more than vibration dampening material 17 having single-sheet auxiliary and primary dampers 15 and 16.

Therefore, Applicant's claims 3 and 4 would not have been obvious from the combination of Casser and Sato.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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